

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TRIA BEAUTY, INC.,
Plaintiff,

VS.

RADIANCY, INC.,
Defendant.

CASE NO. CV-10-5030 (RS) (NJV)

**[PROPOSED] ORDER GRANTING
STIPULATED REQUEST FOR
MODIFICATION OF
CASE MANAGEMENT
SCHEDULING ORDER**

RADIANCY, INC.,
Counterclaim Plaintiff,

VS.

**TRIA BEAUTY, INC.,
Counterclaim Defendant,**

and

**KIMBERLY KARDASHIAN,
Counterclaim Defendant.**

Having considered the parties' stipulation and good cause appearing therefor, the Case Management Scheduling Order filed March 1, 2012 is modified as follows:

	Current Deadline	New Deadline
Non-expert discovery cut-off	2/17/12	No Change
Expert disclosures and reports on any liability issue as to which a party has the burden of proof	3/13/12	No Change
Rebuttal expert disclosures and reports on any liability issue as to which a party has the burden of proof	4/3/12	See below†
Expert disclosures and reports on any damages issue as to which a party has the burden of proof	3/28/12	3/30/12

[PROPOSED] ORDER GRANTING STIPULATED REQUEST FOR MODIFICATION OF CASE MANAGEMENT SCHEDULING ORDER

No. 10-CV-5030 RS (NJW)

1	Rebuttal expert disclosures and reports on any damages issue as to which a party has the burden of proof	4/18/12	4/20/12
2	Expert discovery cut-off	4/6/12	See below†
3	Motions to compel expert discovery	4/10/12	See below†
4	Case management conference	4/12/12	No Change
5	Hearings on pretrial motions	No later than 5/10/12	No Change
6	Joint pretrial statement	6/29/12	No Change
7	Pretrial conference	7/12/12	No Change
8	Trial begins	7/23/12	No Change

12 †The schedule for rebuttal reports on liability issues is set as follows: Radiancy's rebuttal expert
 13 disclosures and reports to TRIA's expert reports on liability issues will be due April 6, 2012,
 14 except that Radiancy's rebuttal expert disclosures and reports to the expert report of Itamar
 15 Simonson will be due April 11, 2012, and, if Radiancy obtains a rebuttal report from Dr. James
 16 Spencer to TRIA's expert report of Dr. Brian Biesman, then Dr. Spencer's rebuttal report to Dr.
 17 Biesman's report will be due April 20, 2012. TRIA's rebuttal expert disclosures and reports to
 18 Radiancy's expert report on liability issues will be due April 9, 2012. The parties will revisit
 19 modification of the expert discovery cut-off (including motions to compel expert discovery) after
 20 all expert reports have been exchanged. The period for non-expert discovery shall be reopened
 21 for the purposes previously agreed upon by the parties. (*See* Dkt # 104).
 22

23 IT IS SO ORDERED.

24
 25 Dated: 4/9/12



26 Hon. Richard Seeborg
 27 United States District Judge
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